

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1864, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 15, after "July" insert "1".
- 2 Page 2, between lines 1 and 2, begin a new paragraph and insert:
- 3 "SECTION 3. IC 16-38-4-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. As used in this
- 5 chapter, "birth problems" means one (1) or more of the following
- 6 conditions:
- 7 (1) A structural deformation.
- 8 (2) A developmental malformation.
- 9 (3) A genetic, inherited, or biochemical disease.
- 10 (4) Birth weight less than two thousand five hundred (2,500)
- 11 grams.
- 12 (5) A condition of a chronic nature, including central nervous
- 13 system hemorrhage or infection of the central nervous system,
- 14 that may result in a need for long term health care.
- 15 (6) Stillbirth.
- 16 (7) **Any other severe disability that is:**
- 17 (A) **designated in a rule adopted by the state department;**
- 18 **and**
- 19 (B) **recognized in a child after birth and before the child**
- 20 **becomes two (2) years of age.**
- 21 SECTION 4. IC 16-38-4-7 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. **(a)** The state department of health shall adopt rules under IC 4-22-2 to:

- (1) define a birth problem; and**
- (2) establish reporting requirements regarding birth problems for:**

- (A) hospitals;**
- (B) physicians;**
- (C) local health departments; and**
- (D) other health care providers designated by the state department.**

**(b) In adopting rules regarding the reporting of birth problems, the state department shall give consideration to the following factors:**

- (1) The extent to which a condition can be measured or identified.**
- (2) The extent to which there is a known intervention for a condition.**
- (3) The significance of the burden imposed on the life of the individual by a condition.**
- (4) Other factors that the state department determines appropriate.**

SECTION 5. IC 16-38-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department, in order to:

- (1) conduct epidemiologic and environmental studies and to apply appropriate preventive and control measures;
- (2) inform the parents of children with birth problems at the time of discharge from the hospital about care facilities and appropriate community resources; or
- (3) inform citizens regarding programs designed to prevent or reduce birth problems.

**(b) The state department shall use record in the birth problems registry:**

- (1) all data concerning birth problems of children that are provided from the certificate of live birth; and**
- (2) any additional information concerning a birth problem that may be provided by a physician, or local health department, an individual or entity described in section 7(a)(2) of this chapter concerning a birth problem that is:**

(A) designated in a rule adopted by the state department;  
and

(B) recognized:

(i) after the ~~newborn child~~ is discharged from the hospital as  
a newborn; and

(ii) before the child is two (2) years of age.

(c) The state department shall provide a physician and a local health  
department with necessary forms for reporting under this chapter.

SECTION 6. IC 16-38-4-9 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) ~~Physicians, Nurse  
midwives local health departments, and hospitals and individuals and  
entities described in section 7(a)(2) of this chapter~~ shall report each  
confirmed case of a birth problem **that is recognized at the time of  
birth** to the registry not later than sixty (60) days after the birth. **An  
individual or entity described in section 7(a)(2) of this chapter who  
recognizes a birth problem in a child after birth but before the  
child is two (2) years of age shall report the birth problem to the  
registry not later than sixty (60) days after recognizing the birth  
problem.** Information may be provided to amend or clarify an earlier  
reported case.

(b) A person required to report information to the registry under this  
section may use, when completing reports required by this chapter,  
information submitted to any other public or private registry or required  
to be filed with federal, state, or local agencies. However, the state  
department may require additional, definitive information.

(c) Exchange of information between state department registries is  
authorized. The state department may use information from another  
registry administered by the state department. Information used from  
other registries remains subject to the confidentiality restrictions on the  
other registries.

SECTION 7. IC 16-38-4-16.5 IS ADDED TO THE INDIANA  
CODE AS A NEW SECTION TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2001]: **Sec. 16.5. To assure accurate,  
complete, and timely reporting of birth problems to the registry,  
the state department may review the medical records of an  
individual or entity required to report birth problems under this  
chapter.**

SECTION 8. IC 16-38-4-17 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) The birth  
problems registry fund is established for the purpose of carrying out  
this chapter. The fund shall be administered by the state department.

(b) The expenses of administering the fund shall be paid from

1 money in the fund.

2 (c) Money in the fund at the end of a particular fiscal year does not  
3 revert to the state general fund.

4 **(d) The state department is not required to implement the**  
5 **provisions of this chapter regarding birth problems described in**  
6 **section 1(7) of this chapter until the state department receives the**  
7 **funding necessary for implementation."**

8 Renumber all SECTIONS consecutively.

(Reference is to HB 1864 as reprinted February 20, 2001.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 10, Nays 0.

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**Senator Miller, Chairperson**